IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR BILAL NAZKI,

THE ACTING CHIEF JUSTICE

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 6964 of 2005

Between:

1 L.Pratap Reddy, S/o.Narsi Reddy,
Upa-Sarpanch, R/o.Chityala Village,
Vatsavai Mandal, Krishna District.
2 M.Surra Reddy, S/o.Satyanarayana Reddy,
R/o.Chityala village, Vatasavai Mandal, Krishna District.

..... PETITIONERS

AND

1 The District Level Committee, rep.by its Chairman,

Krishna.
2 The District Collector, Krishna.
3 The District Panchayat officer, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of writ of Mandamus, directing the Respondent No.1 to implement the denotification proceedings in Rcc.No.2669/2000-pts, dt.04-08-2001, denotifying the area of Chityala village and Reach, Vatsavai mandal, Krishna District extending to R.S.No.139 and R.S.No.174/5 covering an area of Acs.27.03 gts. Acs.14.10 gts. respectively and permitting to quarry sand in the above said denotified area as arbitrary, illegal, unjust, unconstitutional without jurisdiction and contrary to rule 9(v) of the A.P.Minor Mineral concession Rules, 1966 and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:SMT.N.SHOBA

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER (Per Hon'ble the Acting Chief Justice)

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This writ petition has been filed seeking a writ to implement the denotification proceedings dated 4.8.2001, whereby area of Chityala village and reach, Vatsavi Mandal, Krishna District were denotified.

2 . The grievance of the petitioners was that even after the denotification, the respondents were likely to allow sand quarrying in the area.

3. The learned counsel appearing for the respondents has placed on record, a communication received by him from District Panchayat Officer, Krishna Machilipatnam in Roc.No.2669/2000 pts. 7 Dt:17-04-2005. The communication reads as follows:

> "In continuation of this office referenced cited, I submit that as on today there is no proposal to put for auction of Chityala sand reach by issuing notification. In case the District Level Committee wants to issue notification for the conduct of public auction it will get a report from the ground water department and basing on the report, the District Level Committee will take the decision on the conduct of public auction."

4 . In view of this communication, we feel that writ petition has become infructuous and no further orders are necessary to be passed.

5. Accordingly the writ petition is disposed of. No costs.

BILAL NAZKI, HACJ

DR.G.YETHIRAJULU,J

AVS

DATE:19-04-2005

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Level Committee, rep.by its Chairman,

Krishna.
2 The District Collector, Krishna.
3 The District Panchayat officer, Krishna District.

3. 2 CCs to GP FOR PANCHAYAT RAJ & RURAL DEV., A.P. High Court Buildings (OUT).

4) 2 CD copies

*Form-NIC-OGS/WP{**JA**}*